



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
-----------------	-------------	----------------------	---------------------	------------------

10/729,786

12/05/2003

Daniel S. Rokusek

IS01182TC

2285

23330 7590 05/09/2007

MOTOROLA, INC.
LAW DEPARTMENT
1303 E. ALGONQUIN ROAD
SCHAUMBURG, IL 60196

EXAMINER

MANOHARAN, MUTHUSWAMY GANAPATHY

ART UNIT

PAPER NUMBER

2617

MAIL DATE

DELIVERY MODE

05/09/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/729,786

Applicant(s)

ROKUSEK ET AL.

Examiner

Muthuswamy G. Manoharan

Art Unit

2617

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 22 February 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-3,5-12 and 14-18 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-3,5-12 and 14-18 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Arguments

Applicant's arguments with respect to claims 1-3, 7-12 and 16-18 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

Claims 1-3, 5-12, and 14-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Holmes et al. (hereinafter Holmes) (US 6,636,749) in view of Shearer et al. (hereinafter Shearer) (US 2004/0203351).

Regarding **claim 1**, Holmes teaches a method, comprising: providing a handset (item 110 in Figure 2) coupled to interface with a docking station (item 104 in Figure 2), wherein the docking station is integrated within a vehicle ("coupling with a vehicle", Abstract); initiating a communications session, wherein the communications session spans from the handset to a remote communications device (item 127 in Figure 5; Col. 6, lines 57-60) using a WPAN communications link (Blue tooth module 106 in Figure 2; Col. 6, line 61), and out from the remote communications device using a cellular link (item 127 in Figure 6; Col. 6, lines 60-65); the remote communication device (item 127 in Figure 6; Col. 6, lines 57-65); if the handset is in the docked condition, the handset routing an audio component through the docking station (item 106 in Figure 1; Col. 8, lines 18-33); and if the handset is in the undocked condition, the handset routing the audio component through the handset (item 106 in Figure 5; Col. 8, lines 59-65; also the handset is able to communicate through the remote communication device 127).

Holmes fails to teach the remote communication device translating between the WPAN communications link and the cellular link and the handset determining one of a docked condition and an undocked condition. However, Shearer teaches in an analogous art, the remote communication device translating between the WPAN communications link and the cellular link ("**the cell-phone 200 is Bluetooth enabled and in that respect comprises a Bluetooth chip allowing the cell-phone to communicate with another Blue-tooth enabled device located in the receiving range**", Paragraph [0021]; Figures 1 and 2) and the handset determining one of a docked condition and an undocked condition ("**detection system for detecting the**

detachment of headset", Paragraph [0026]). Therefore, it would be obvious to one of ordinary skill in the art at the time invention to have the remote communication device translating between the WPAN communications link and the cellular link in order to communicate with other communication devices including non-handheld devices and the handset determining one of a docked condition and an undocked condition. With this modification Holmes could initiate a communication through the docking station if the handset is in the docked condition (to get superior quality compared to the wireless phone alone, since the hands-free car kit takes advantage of the vehicles pre-existing audio or stereo systems, speakers) and through the handset if the handset is in the undocked condition (to get privacy; US 7099706). Further, this modification makes the system very user friendly by reducing the number of operations to be performed by the operator of the vehicle.

Regarding **claim 2**, Holmes further teaches wherein the WPAN communications link utilizes a Bluetooth communications protocol (Col. 6, lines 25-27).

Regarding **claim 3**, Holmes further teaches the handset discovering and coupling to the remote communications device (item 127 in Figure 5) using the, WPAN communications (item 106 in Figure 5, Col. 6, lines 57-62) link.

Regarding **claim 5**, Holmes in view of Shearer teaches all the particulars of the claim 1. Holmes did not teach specifically the handset is in the docked condition, initiating the communications session via voice recognition algorithm in one of the docking station and the handset. However, Shearer teaches in an analogous art, the handset is in the docked condition, initiating the communications session via voice

Art Unit: 2617

recognition algorithm in one of the docking station and the handset (**“use voice recognition to initiate the call”, “voice-activated system to control an electronic device”**, Paragraphs [0003-0004] ; “voice recognition”, Paragraph [0006]). Therefore, it would have been further obvious to one of ordinary skill in the art at the time of invention to have the process of initiating the communications session via voice recognition algorithm in one of the docking station and the handset. This modification makes the handset a truly hands-free car kit and also provides a user-friendly access to the handset.

Regarding **claim 6**, Holmes in view of Shearer teaches all the particulars of the claim. Holmes did not teach specifically the handset is in the docked condition, one of the docking station and the handset executing a noise reduction algorithm during the communications session. However, Shearer teaches in an analogous art, the handset is in the docked condition, one of the docking station and the handset executing a noise reduction algorithm during the communications session (**“use voice recognition to initiate the call”, “voice-activated system to control an electronic device”**, Paragraphs [0003-0004] ; “voice recognition”, Paragraph [0006]). Therefore, it would have been further obvious to one of ordinary skill in the art at the time of invention to have the handset is in the docked condition, one of the docking station and the handset executing a noise reduction algorithm during the communications session. This modification improves the quality of the audio signals.

Regarding **claim 7**, Holmes further teaches, initiating the communications session using a human interface element on the handset (Col. 4, lines 41-47).

Regarding **claim 8**, Holmes further teaches, initiating the communications session using the handset (Col. 4, lines 41-47).

Regarding **claim 9**, Holmes further teaches, initiating the communications session comprises the handset receiving a communication session request from the remote communications device (Col. 4, lines 41-47).

Regarding **claim 10**, Holmes teaches a handset (item 110 in Figure 2) coupled to interface with a docking station integrated within a vehicle, comprising a computer-readable medium containing computer instructions for instructing a processor to perform a method of controlling a communications session, the instructions comprising (Col. 3, lines 46-65): initiating the communications session, wherein the communications session spans from the handset to a remote communications device using a WPAN communications link (Bluetooth module 106 in Figure 5; item 127 is a Bluetooth device, Col. 6, lines 60-65) and out from the remote communications device using a cellular link (Col. 6, lines 60-65); the remote communication device translating between the WPAN communications link and the cellular link (item 127 in Figure 6; Col. 6, lines 57-65); if the handset is in the docked condition, the handset routing an audio component through the docking station (item 106 in Figure 1, Col. 8, lines 18-33); and if the handset is in the undocked condition, the handset routing the audio component through the handset (item 106 in Figure 5; Col. 8, lines 59-62).

Holmes fails to teach the remote communication device translating between the WPAN communications link and the cellular link and the handset determining one of a docked condition and an undocked condition. However, Shearer teaches in an

analogous art, the remote communication device translating between the WPAN communications link and the cellular link ("**the cell-phone 200 is Bluetooth enabled and in that respect comprises a Bluetooth chip allowing the cell-phone to communicate with another Blue-tooth enabled device located in the receiving range**", Paragraph [0021]; Figures 1 and 2) and the handset determining one of a docked condition and an undocked condition ("**detection system for detecting the detachment of headset**", Paragraph [0026]). Therefore, it would be obvious to one of ordinary skill in the art at the time invention to have the handset determining one of a docked condition and an undocked condition. This modification makes the system very user friendly by reducing the number of operations to be performed by the operator of the vehicle.

Regarding **claim 11**, Holmes further teaches wherein the WPAN communications link utilizes a Bluetooth communications protocol (Col. 6, lines 25-27).

Regarding **claim 12**, Holmes further teaches the handset discovering and coupling to the remote communications device (item 127 in Figure 5) using the, WPAN communications (item 106 in Figure 5, Col. 6, lines 57-62) link.

Regarding **claim 14**, Holmes in view of Shearer teaches all the particulars of the claim. Holmes did not teach specifically the handset is in the docked condition, initiating the communications session via voice recognition algorithm in one of the docking station and the handset. However, Shearer teaches in an analogous art, the handset is in the docked condition, initiating the communications session via voice recognition algorithm in one of the docking station and the handset ("**use voice recognition to**

initiate the call”, “voice-activated system to control an electronic device”, Paragraphs [0003-0004] ; “voice recognition”, Paragraph [0006]). This modification makes the handset a truly hands-free car kit and also provides a user-friendly access to the handset.

Regarding **claim 15**, Holmes in view of Shearer teaches all the particulars of the claim. Holmes did not teach specifically the handset is in the docked condition, one of the docking station and the handset executing a noise reduction algorithm during the communications session. However, Shearer teaches in an analogous art, the handset is in the docked condition, one of the docking station and the handset executing a noise reduction algorithm during the communications session (“**noise suppression algorithm**”, Paragraph). This modification improves the quality of the audio signals.

Regarding **claim 16**, Holmes further teaches, initiating the communications session using a human interface element on the handset (Col. 4, lines 41-47).

Regarding **claim 17**, Holmes further teaches, initiating the communications session using the handset (Col. 4, lines 41-47).

Regarding **claim 18**, Holmes further teaches, initiating the communications session comprises the handset receiving a communications session request from the remote communications device (Col. 4, lines 41-47).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Muthuswamy G. Manoharan whose telephone number is 571-272-5515. The examiner can normally be reached on 7:30AM-4:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Eng George can be reached on 571-272-7495. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.


GEORGE ENG
SUPERVISORY PATENT EXAMINER